

OCT 24 2017

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America
v.
Jerry Allen Weatherbee Jr.

Case No

H17-1612

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 20, 2017 to August 9, 2017 in the county of Fort Bend County in the
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. Section 1708	The defendant, unlawfully in possession of stolen U.S. Mail matter.
18 U.S.C. Section 1028A	The defendant, possessed and used, without lawful authority, a means of identification of another.
18 U.S.C. Section 1704	The defendant possesed Counterfeit Postal Service Arrow Keys

This criminal complaint is based on these facts:

See attached Affidavit

Continued on the attached sheet

WPD

Complainant's signature

U.S. Postal Inspector Wayne G. Palomar

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/24/2017

Stephen L. Brown
Lakewood, Colorado

Judge's signature

City and state: Houston, Texas

Stephen Wm. Smith, U.S. Magistrate Judge

Printed name and title

**Affidavit in Support of
Arrest Warrant**

1. I, United States Postal Inspector Wayne G. Palomar, have been employed by the U.S. Postal Inspection Service since 2001. I am currently assigned to the Mail Theft team in Houston, TX and have received specialized training in numerous Postal crimes, primarily those involving mail theft, identity theft and bank fraud related offenses. I am familiar with how identity thieves steal mail for financial documents (bank checks) and use victims' information to negotiate victim's bank checks for profit.
2. The information set forth in this Affidavit is based upon Affiant's personal knowledge and/or information provided to Affiant by other law enforcement officers, fraud investigators, and other individuals the undersigned believes to be reliable and credible.
3. Because this Affidavit is being submitted for the limited purpose of supporting a criminal complaint, Affiant has not included each and every fact concerning this investigation. Affiant has set forth only the facts believed to establish probable cause that Jerry Allen **Weatherbee** Jr. has committed violations of federal law.
4. On August 8, 2017 **Weatherbee** was in the drive-through lane of Prosperity Bank located at 27707 Tomball Pkwy, Tomball, TX 77377. He was driving a white Chevrolet Silverado Truck and attempted to deposit a \$2780 personal check (drawn on Chase Bank account of Girish M.Kamthe) into the Prosperity bank account of Redow Bishop and receive cash back of \$780. He presented a Texas paper driver's license that had the account holder's personal identifying information (Bishop is a female, date of birth, mailing address) and a photo that did not appear to be him (**Weatherbee**). Because of the discrepancies, the subject was not allowed to make the transaction but before he left the bank, employees' photo copied the check, deposit slip and paper driver's license. A fraud alert was placed on the Bishop bank account. The photocopies were attached to an email and sent as a fraud alert to other Prosperity Bank branches in the Houston area.
5. On August 9, 2017, at 550 Pin Oak Road, Katy TX 77494, Prosperity Bank Teller Denise Freeman was working the drive-through banking and observed a truck operated by a white male matching the description from the fraud alert email. **Weatherbee** presented Teller Freeman the exact check, paper driver's license and deposit slip she had observed in the email. She notified her manager who called the Katy Police. When police arrived, **Weatherbee** was identified and questioned as to what he was doing at the bank. **Weatherbee** declined to answer questions without his attorney present and was arrested for an outstanding Harris County warrant.
6. Upon an inventory search of his vehicle the following items were recovered; U.S. Mail from Frisco, Hockley, Waller, Katy, Spring, Magnolia and Houston (in names other than **Weatherbee's**), Texas paper drivers licenses with the mail theft victims' names and real driver's license information corresponding to victims personal checks (stolen from mail) and filled out bank withdrawal slips, two

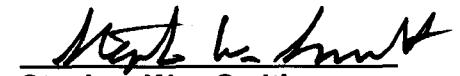
counterfeit postal arrow keys (used to access locked postal mailboxes), burglary tools such as a pry bar, sawzall, metal cutting disks and a drill.

7. On August 9, 2017 Katy Police Detective Stewart made contact with Victim Redow Bishop. He informed her **Weatherbee** was in possession of two fraudulent driver's licenses with Bishop's information on them along with check #1465 drawn on Chase Bank account #761453885, that she was supposed to receive for \$2,780.00. Weatherbee had forged Bishop's signature on the endorsement line on the back of the check and had a filled out deposit slip where he planned to deposit \$2,000.00 and keep \$780.00. Bishop stated she did not give Weatherbee permission to possess any of her personal or financial identifying information or U.S. Mail and she wished to pursue charges against him.
8. On or about the same date, Detective Stewart made contact with Victim Enrique Perez Oliva whose Chase Bank Check #1382 drawn on Oliva's bank account #392630356865, for \$1,725.91 was recovered from **Weatherbee's** vehicle. Also recovered were three fictitious driver's licenses with Oliva's information on them, and a Chase Bank withdrawal slip filled out for withdrawing \$1,500.00. A forged Oliva signature was on the slip. Oliva advised that his mail had been stolen from the U.S Postal Service collection box at the U.S. Post Office on Parker Road near Interstate 10 in Barker, Texas. He stated that the collection box at that location had been pried open/burglarized resulting in the theft of his check he had written to his mortgage company. Oliva stated he did not give **Weatherbee** permission to possess any of his personal or financial identifying information or U.S. Mail and stated he wished to pursue charges.
9. Based on the forgoing information, Affiant has reason to believe and does believe that, on or about June 20, 2017 through August 9, 2017, **Jerry Allen Weatherbee Jr.** committed the offenses of Mail Theft, 18 USC 1708, Identity Theft, 18 USC 1028A and Counterfeit Postal Service Arrow Keys 18 USC 1704.



Wayne G. Palomar
United States Postal Inspector

Sworn and Subscribed to me this 24 day of October 24, 2017, and I find probable cause.



Stephen Wm. Smith
United States Magistrate Judge
Southern District of Texas